



position is Supervisor. In this capacity, I oversee four general foremen in Baltimore, Maryland, and two general foremen in Atlantic City, New Jersey.

4. In my current position as a Supervisor at Lewis Tree Service, I have not performed any work in the State of New York, nor have I overseen any crews performing work in the State of New York. To the best of my recollection, the only times that I have entered the State of New York in the past three years were (1) to attend a three-day conference in Rochester, New York, in or around April 2022, and (2) in briefly passing through New York on highways while traveling to and from Connecticut in order to perform emergency response work in New England in or around late August and early September 2021. On these trips passing through New York, I did not spend a night in New York.

5. I do not travel to New York for any personal reasons, such as vacations, to visit friends or family, or to go shopping.

6. In my personal capacity, I do not transact any business in New York or contract anywhere to supply goods or services in New York.

7. In my personal capacity, I do not derive any revenue from interstate or international commerce. I do not solicit business in New York, nor do I derive any revenue from any goods used or consumed in New York, nor services rendered in New York.

8. I have had no contact with Eddie Garcia since at least 2014, when my first period of employment with Lewis Tree came to an end. Until June 8, 2022, when Lewis Tree's attorney made me aware of Mr. Garcia's proposed amended complaint, I had no idea that Mr. Garcia had been diagnosed with colon cancer, received treatment for colon cancer, taken leave from his job, been terminated from Lewis Tree, or filed this lawsuit against Lewis Tree and my brother, Robert

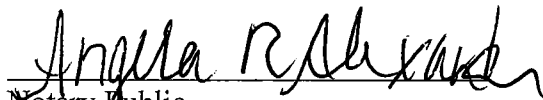
Gaston. Due to personal and family reasons, I have not spoke to my brother Robert since around February 2021.

9. I have never seen nor received any information from Mr. Garcia, his doctors, or anybody else about Mr. Garcia's colon cancer diagnosis, treatment, prognosis, or ability to return to work in 2020.

10. I was not employed by Lewis Tree at any time in 2019 or 2020. I therefore did not, and could not have had, any involvement with Mr. Garcia's employment during that period, including but not limited to providing Mr. Garcia with any FMLA notices, consideration of Mr. Garcia's requests for leave, consideration of any potential accommodation for Mr. Garcia, receipt of any documentation from Mr. Garcia's doctors, any communication with Mr. Garcia, or the decision to terminate Mr. Garcia's employment.

  
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Christopher R. Gaston

Sworn before me this 10 day  
of June, 2022.

  
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Notary Public

